

III. REMARKS

Claims 1-5, 7-10, 12-20, 22 and 23 are pending in this application. By this amendment, claims 1, 2, 9 and 15-17 have been amended.

Applicants are not conceding in this application that those claims are not patentable over the art cited by the Office, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter noted by the Office.

Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

Entry of this Amendment is proper under 37 C.F.R. §1.116(b) because the Amendment: (a) places the application in condition for allowance as discussed below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for appeal. Accordingly, Applicant respectfully requests entry of this Amendment.

In the Office Action, claims 1, 9 and 16 (and similarly 2-4, 7-8, 10, 12-15, 17-20 and 22-23) are rejected under 35 U.S.C. §112, First Paragraph as allegedly failing to comply with the written description requirement.

In the Office Action, claims 1-5, 7-10, 12-20 and 22-23 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Burton (U.S. Patent Pub. No. 2002/0055878), hereafter “Burton,” in view of Klatt (U.S. Patent No. 6,415,277), hereafter “Klatt.”

With regard to the 35 USC 112 rejections of claims 1, 9 and 16, Applicants have herein the claims to read “separate views” rather than “separate viewing panels.” Applicants believe that this amendment overcomes the rejection as there is clear support in Applicants’ description, at least at Paragraph 16, wherein “[i]n any event, any views that are presented to the administrator are presented within a single browser window.” There are many references to the different views available, and that they are all viewed within the single window, and accordingly the term is defined in the written description. Applicants respectfully request that the Office withdraw the rejection of independent claims 1, 9 and 16, as well as 2-4, 7-8, 10, 12-15, 17-20 and 22-23, which depend therefrom as allegedly failing to comply with the written description requirement.

With regard to the 35 USC 103(a) rejection, Applicants assert that the cited combination fails to teach or suggest each and every feature of the claimed invention. For example, with respect to independent claim 1, Applicants submit that the cited references fail to teach or suggest the feature of “wherein the view of the failed request queue and the data are presented separately to the administrator in separate views within a single window without opening multiple windows.” In contrast, Burton teaches a list of orders as shown in Burton’s Figures 81 and 86, as well as paragraph 0456, Lines 1-5 and 17-20, as quoted by the Office on Page 4 of the Final Office Action. Although the list of Burton can be searched and sorted, and shows problematic orders as well as non-problematic orders on separate rows of a list, Applicants continue to assert that this is not the same as separately displaying a failed request queue and data distinct from the failed request queue in separate views within a single window.

In response to Applicants' arguments, the Office alleges that Burton teaches that problematic and non-problematic orders are displayed in separate views because: (1) they are displayed in different rows in the same list on the same webpage; (2) inclusion of boxes identifying numbers of orders that need and do not need attention; and (3) a text search can be performed to exclude non-problematic orders from the results. Final Office Action, pp. 13-14. However, Applicants note that none of these features in Burton describes views that are presented separately. Rather, the Office uses arbitrary area definitions within a single web page and arbitrary functionality for selecting data for inclusion in the web page to allege that Burton teaches the separate views of claim 1. As is known in the art, all content of a web page is generated and presented at the same time to a user. Therefore, Applicants submit that a single web page constitutes a single view. In contrast, Applicants' claim 1 presents the view of the failed request queue and the data separately to the administrator in separate views.

With further regard to the 103(a) rejection of claim 1, Burton also fails to teach or suggest the feature of “a view presentation system for presenting an administrator with a view of the failed request queue, the view including an identification of an item request that failed and a reason for the failure.” Burton classifies problematic orders with an attention item which shows whether an item needs attention. However, Burton does not teach that these ‘problematic orders’ are put into a distinct failed request queue as described above, and a searchable list is not the same as separate views of a queue and data corresponding to system-initiated and user-initiated requests. Further, the attention item of Burton is not sufficient, as the view of Applicants’ claim includes a reason for the failure, not just an action item.

With further regard to the list of Burton, the Office states that Burton's list is a queue because the dictionary definition of queue would imply that "Burton teaches a list of orders in separate rows which is a queue." (Final Office Action, Page 14). However, Applicants assert that this would classify the list of Burton as one single queue, with different rows representing different items in the queue, and not a failed request queue and data distinct from the queue which are separately presented in Applicants' claim 1.

In contrast, the current invention contains a queue for failed system-initiated requests, which is displayed to an administrator in a separate view within a single window, which can also display data corresponding to system-initiated requests as well as user-initiated requests, data which is distinct from the queue and is presented in a separate view. Accordingly, Burton fails to teach or suggest each and every feature of Applicants' independent claim 1 whether viewed individually or in view of Klatt. Applicants respectfully request that the Office withdraw the 103(a) rejection of claim 1, and claims 2-5 and 7-8, which depend therefrom.

With regard to the 35 USC 103(a) rejection of claim 9, Applicants assert that the cited combination fails to teach or suggest each and every feature of the claimed invention. For example, Applicants submit that, for at least the reasons given above, the cited references fail to teach or suggest the feature of "wherein the view of the failed request queue and the data are presented separately to the administrator in separate views within a single window without opening multiple windows." Accordingly, Applicants respectfully request that the Office withdraw its rejection of claim 9, and claims 10 and 12-15 which depend therefrom.

With further respect to independent claim 9, as well as dependent claims 5 and 20, Applicants continue to respectfully submit that the cited references also fail to teach or suggest

wherein the system-initiated item requests are processed differently from user-initiated item requests, and processed in batches with other system-initiated item requests. The Office states that batch processing is old and well known in the art. Applicants continue to respectfully object to the Office's use of what amounts to Official Notice by stating that such use of batch processing is obvious to one skilled in the art as asserted by the Office. Rather, especially in this context, batch processing of the system-initiated item requests is not obvious. This batch processing is a specific advantage of an embodiment of the current invention and is not so much as vaguely referenced in either of the references cited. Furthermore, neither of the references cited by the Office teaches processing user initiated item requests differently from system initiated requests, the system initiated requests being processed in a batch mode. Instead, the Office states that since the orders of Burton and Klatt are different, they are processed differently. As stated on Page 15 of the Final Office Action, an order for pizza and an order for a flyer are processed differently. Applicants assert that any combination could have been used to make this point, and that the rejection fails to consider the claim as a whole.

Further, the Office provides Johnson, Col. 7, Lines 4-11 (U.S. Patent No. 6,606,603) as some evidence of batch processing system initiated requests. (Final Office Action, Page 15). However, Applicants note that the orders of Johnson are user initiated, not system initiated. Johnson discloses that the orders being processed and routed are "from Ariba ORMS buyers 112" and routed to "appropriate suppliers 114 using the Internet." (Johnson, Col. 6, Lines 59-60). Further, Johnson describes that "the Ariba ORMS provides a user access to catalogs that are stored on the user's own intranet system" at Col. 2, Lines 15-16. Thus, the processing of system initiated requests in a batch mode is not old and well known in the art. Further, the process

described states that a “system inserts orders as they arrive into a relational data store and places them into one or more queues also maintained in a relational data store.” Further, that several processes can run in parallel, each processing orders from one or more queues. Lastly, “[a]s a result of being processed via a queue by one of the processes, an order can get inserted into one or more other queues for further handling by other processes.” (Johnson, Col. 7, Lines 4-11).

Applicants assert that this is a very vague description of the processing of multiple queues of user initiated orders by multiple processes, and does not teach processing in a batch mode. It is unclear why the processing of Johnson would apply to one of Burton or Klatt and not the other. Accordingly, Applicants request that the rejection of independent claim 9, as well as dependent claims 5 and 20 be withdrawn.

With regard to the 35 USC 103(a) rejection of claim 16, Applicants assert that the cited combination fails to teach or suggest each and every feature of the claimed invention. For example, Applicants submit that, for at least the reasons given above, the cited references fail to teach or suggest the feature of “wherein the view of the failed request queue and the data are presented separately to the administrator in separate views within a single window without opening multiple windows.” Accordingly, Applicants respectfully request that the Office withdraw its rejection of claim 16, and claims 17-20 and 22-23 which depend therefrom.

With respect to dependent claims, Applicants herein incorporate the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicants submit that all dependent claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicants respectfully request withdrawal of this rejection.

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

/John LaBatt/

Date: October 28, 2009

John W. LaBatt
Reg. No.: 48,301
(ND)

Hoffman Warnick LLC
75 State Street, 14th Floor
Albany, New York 12207
(518) 449-0044
(518) 449-0047 (fax)